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To: Microsoft ATR
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Subject: Microsoft Settlement

Under the Tunney Act I wish to submit my comments in regards to the currently purposed Microsoft settlement.

There are many problems with this settlement and I cannot possibly discuss them all with any proper length. I would like to focus on one particular item.

The currently proposed settlement with Microsoft does not prevent Microsoft from continuing the practice of intentional incompatibilities.

Microsoft has historically used this practice to protect and extend its monopoly. This behavior was set forth in the 1996 Caldera vs Microsoft lawsuit where the judge ruled in the case that "Caldera had presented sufficient evidence that the incompatibilities alleged were part of an anticompetitive scheme by Microsoft."

Microsoft continues this practice today by making changes to its SMB/CIFS networking protocols to prevent any non-Microsoft OS to be able to interoperate with Windows 2000. In fact, section III(J)(2) of the proposed final settlement actually seems to give Microsoft the continued right to hide and modify these communication protocols.

The proposed final settlement does nothing to prohibit Microsoft from continuing this practice of constantly creating incompatibilities to enhance the Application Barrier of Entry.

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